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20 | Plaintiffs' Counsel

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE PACIFIC FERTILITY CENTER
LITIGATION

Case No. 3:18-cv-01586-JSC

**ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES
SHOULD BE RELATED**

1 **TO THE COURT AND ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 PLEASE TAKE NOTICE that, pursuant to Civil Local Rules 3-12 and 7-11, Plaintiffs respectfully
 3 submit this administrative motion for the Court to consider whether the following actions recently filed
 4 in this District should be related to the action entitled *In Re Pacific Fertility Center Litigation*, Case No.
 5 3:18-cv-01586-JSC.

No.	Case Caption	Case Number	Assigned Judge
1	A.A. v. Chart Inc.	3:20-cv-04961	Hon. Kandis A. Westmore
2	A.C. v. Chart Inc.	3:20-cv-04962	Hon. Joseph C. Spero
3	B.C. and B.D. v. Chart Inc.	3:20-cv-04964	Hon. Donna M. Ryu
4	B.E. and B.F. v. Chart Inc.	3:20-cv-04965	Hon. Sallie Kim
5	D.C. and D.D. v. Chart Inc.	3:20-cv-04966	Hon. Jacqueline Scott Corley
6	D.E. and D.F. v. Chart Inc.	3:20-cv-04968	Hon. Donna M. Ryu
7	E.A. and E.B. v. Chart Inc.	3:20-cv-04969	Hon. Alex G. Tse
8	F.A. v. Chart Inc.	3:20-cv-04970	Hon. Jacqueline Scott Corley
9	F.E. v. Chart Inc.	3:20-cv-04971	Hon. Laurel Beeler
10	G.E. and G.F. v. Chart Inc.	3:20-cv-04972	Hon. Jacqueline Scott Corley
11	H.A. and H.B. v. Chart Inc.	3:20-cv-04974	Hon. Joseph C. Spero
12	H.E. and H.F. v. Chart Inc.	3:20-cv-04975	Hon. Sallie Kim
13	D.A. v. Chart Inc.	3:20-cv-04976	Hon. Jacqueline Scott Corley
14	I.C. and I.D. v. Chart Inc.	3:20-cv-04977	Hon. Phyllis J. Hamilton
15	L.E. and L.F. v. Chart Inc.	3:20-cv-04978	Hon. Donna M. Ryu
16	M.A. v. Chart Inc.	4:20-cv-04980	Hon. Jeffrey S. White
17	N.C., N.D., and N.E. v. Chart Inc.	3:20-cv-04981	Hon. Thomas S. Hixson
18	Q.A. and Q.B. v. Chart Inc.	3:20-cv-04982	Hon. Laurel Beeler
19	R.A. and R.B. v. Chart Inc.	3:20-cv-04983	Hon. Thomas S. Hixson
20	E.C. v. Chart Inc.	3:20-cv-04984	Hon. Jacqueline Scott Corley
21	J.A. v. Chart Inc.	3:20-cv-04986	Hon. Joseph C. Spero
22	M.E. v. Chart Inc.	3:20-cv-04987	Hon. Kandis A. Westmore
23	J.E. v. Chart Inc.	3:20-cv-04988	Hon. Sallie Kim
24	S.A. and S.B. v. Chart Inc.	3:20-cv-04989	Hon. Kandis A. Westmore
25	S.E. and S.F. v. Chart Inc.	3:20-cv-04990	Hon. Thomas S. Hixson
26	O.A. v. Chart Inc.	3:20-cv-04991	Hon. Kandis A. Westmore
27	T.A. v. Chart Inc.	3:20-cv-04992	Hon. Joseph C. Spero
28	O.C. v. Chart Inc.	3:20-cv-04993	Hon. Sallie Kim
29	T.E. v. Chart Inc.	3:20-cv-04994	Hon. Jacqueline Scott Corley
30	U.E. and U.F. v. Chart Inc.	3:20-cv-04995	Hon. Jacqueline Scott Corley
31	O.E. v. Chart Inc.	3:20-cv-04996	Hon. Joseph C. Spero
32	V.A. and V.B. v. Chart Inc.	3:20-cv-04998	Hon. Jacqueline Scott Corley
33	Q.E. v. Chart Inc.	3:20-cv-04999	Hon. Edward M. Chen

No.	Case Caption	Case Number	Assigned Judge
34	V.E. and V.F. v. Chart Inc.	3:20-cv-05000	Hon. Alex G. Tse
35	W.A. and W.B. v. Chart Inc.	3:20-cv-05001	Hon. Laurel Beeler
36	W.C. and W.D. v. Chart Inc.	3:20-cv-05002	Hon. Laurel Beeler
37	W.E. and W.F. v. Chart Inc.	3:20-cv-05003	Hon. Thomas S. Hixson
38	X.A. and X.B. v. Chart Inc.	3:20-cv-05004	Hon. Donna M. Ryu
39	U.A. v. Chart Inc.	3:20-cv-05005	Hon. Donna M. Ryu
40	Y.A. v. Chart Inc.	3:20-cv-05007	Hon. Laurel Beeler
41	V.C. v. Chart Inc.	3:20-cv-05008	Hon. Laurel Beeler
42	X.C. v. Chart Inc.	3:20-cv-05009	Hon. Kandis A. Westmore
43	B.A. and B.B. v. Chart Inc.	3:20-cv-05010	Hon. Joseph C. Spero
44	C.A. and C.B. v. Chart Inc.	3:20-cv-05011	Hon. Thomas S. Hixson
45	C.E. and C.F. v. Chart Inc.	3:20-cv-05012	Hon. Jacqueline Scott Corley
46	F.C. and F.D. v. Chart Inc.	3:20-cv-05013	Hon. Donna M. Ryu
47	G.A. and G.B. v. Chart Inc.	3:20-cv-05014	Hon. Sallie Kim
48	G.C. and G.D. v. Chart Inc.	3:20-cv-05015	Hon. Donna M. Ryu
49	H.C. and H.D. v. Chart Inc.	3:20-cv-05017	Hon. Thomas S. Hixson
50	I.A. and I.B. v. Chart Inc.	3:20-cv-05019	Hon. Alex G. Tse
51	I.E. and I.F. v. Chart Inc.	3:20-cv-05020	Hon. Donna M. Ryu
52	J.C. and J.D. v. Chart Inc.	3:20-cv-05022	Hon. Sallie Kim
53	K.A. and K.B. v. Chart Inc.	3:20-cv-05023	Hon. Laurel Beeler
54	K.C. and K.D. v. Chart Inc.	3:20-cv-05024	Hon. Sallie Kim
55	K.E. and K.F. v. Chart Inc.	3:20-cv-05027	Hon. Jacqueline Scott Corley
56	L.A. and L.B. v. Chart Inc.	3:20-cv-05028	Hon. Laurel Beeler
57	L.C. and L.D. v. Chart Inc.	3:20-cv-05029	Hon. Joseph C. Spero
58	M.C. and M.D. v. Chart Inc.	3:20-cv-05030	Hon. Jacqueline Scott Corley
59	N.A. and N.B. v. Chart Inc.	3:20-cv-05031	Hon. Joseph C. Spero
60	P.A. and P.B. v. Chart Inc.	3:20-cv-05032	Hon. Kandis A. Westmore
61	P.C. and P.D. v. Chart Inc.	3:20-cv-05033	Hon. Saundra Brown Armstrong
62	P.E. and P.F. v. Chart Inc.	3:20-cv-05034	Hon. Sallie Kim
63	Q.C. and Q.D. v. Chart Inc.	3:20-cv-05035	Hon. Jacqueline Scott Corley
64	R.C. and R.D. v. Chart Inc.	3:20-cv-05036	Hon. Alex G. Tse
65	S.C. and S.D. v. Chart Inc.	3:20-cv-05037	Hon. Sallie Kim
66	T.C. and T.D. v. Chart Inc.	3:20-cv-05039	Hon. Sallie Kim
67	U.C. and U.D. v. Chart Inc.	3:20-cv-05040	Hon. Joseph C. Spero
68	Y.C. and Y.D. v. Chart Inc.	3:20-cv-05041	Hon. Joseph C. Spero
69	Z.A. and Z.B. v. Chart Inc.	3:20-cv-05042	Hon. Joseph C. Spero
70	Z.C. and Z.D. v. Chart Inc.	3:20-cv-05043	Hon. Laurel Beeler
71	A.D. and A.E. v. Chart Inc.	3:20-cv-05044	Hon. Laurel Beeler
72	A.G. and A.H. v. Chart Inc.	3:20-cv-05045	Hon. Sallie Kim
73	A.I. v. Chart Inc.	3:20-cv-05046	Hon. Sallie Kim
74	A.J. and N.J. v. Chart Inc.	3:20-cv-05047	Hon. Kandis A. Westmore
75	B.G. and B.H. v. Chart Inc.	3:20-cv-05048	Hon. Jacqueline Scott Corley

No.	Case Caption	Case Number	Assigned Judge
1	76 B.I. and B.J. v. Chart Inc.	4:20-cv-05049	Hon. Donna M. Ryu
2	77 C.D. v. Chart Inc.	4:20-cv-05050	Hon. Donna M. Ryu
3	78 C.G. and C.H. v. Chart Inc.	3:20-cv-05051	Hon. Jacqueline Scott Corley
4	79 C.I. v. Chart Inc.	4:20-cv-05052	Hon. Kandis A. Westmore
5	80 C.J. v. Chart Inc.	3:20-cv-05053	Hon. Sallie Kim
6	81 D.B. and D.G. v. Chart Inc.	3:20-cv-05054	Hon. Laurel Beeler
7	82 D.H. and D. I. v. Chart Inc.	4:20-cv-05055	Hon. Jeffrey S. White
8	83 D.J. and E.E. v. Chart Inc.	3:20-cv-05056	Hon. Jacqueline Scott Corley
9	84 E.G. and E.H. v. Chart Inc.	4:20-cv-05057	Hon. Donna M. Ryu
10	85 E.I. and E.J. v. Chart Inc.	4:20-cv-05058	Hon. Kandis A. Westmore
11	86 F.B. v. Chart Inc.	4:20-cv-05059	Hon. Donna M. Ryu
12	87 F.F. and F.G. v. Chart Inc.	3:20-cv-05060	Hon. Laurel Beeler
13	88 F.H. and F.I. v. Chart Inc.	3:20-cv-05061	Hon. William Alsup
14	89 F.J. and G.G. v. Chart Inc.	4:20-cv-05062	Hon. Kandis A. Westmore
15	90 G.I. v. Chart Inc.	3:20-cv-05063	Hon. Sallie Kim
16	91 G.J. and H.G. v. Chart Inc.	4:20-cv-05064	Hon. Phyllis J. Hamilton
17	92 H.I. v. Chart Inc.	3:20-cv-05065	Hon. William Alsup
18	93 H.J. and I.G. v. Chart Inc.	3:20-cv-05066	Hon. Thomas S. Hixson
19	94 I.H. and I.I. v. Chart Inc.	4:20-cv-05067	Hon. Donna M. Ryu
20	95 J.B. and J.F. v. Chart Inc.	4:20-cv-05068	Hon. Kandis A. Westmore
21	96 J.G. and J.H. v. Chart Inc.	4:20-cv-05069	Hon. Kandis A. Westmore
22	97 J.I. and J.J. v. Chart Inc.	4:20-cv-05070	Hon. Donna M. Ryu
23	98 K.G. and K.H. v. Chart Inc.	3:20-cv-05071	Hon. Joseph C. Spero
24	99 K.I. and K.J. v. Chart Inc.	3:20-cv-05072	Hon. Thomas S. Hixson
25	100 L.G. v. Chart Inc.	3:20-cv-05073	Hon. Sallie Kim
26	101 L.H. and L.I. v. Chart Inc.	3:20-cv-05074	Hon. Laurel Beeler
27	102 L.J. and M.B. v. Chart Inc.	4:20-cv-05075	Hon. Donna M. Ryu
28	103 M.G. v. Chart Inc.	3:20-cv-05076	Hon. Joseph C. Spero
29	104 M.H. and M.I. v. Chart Inc.	3:20-cv-05077	Hon. Laurel Beeler
30	105 M.J. and N.F. v. Chart Inc.	3:20-cv-05078	Hon. Laurel Beeler
31	106 N.G. and N.H. v. Chart Inc.	4:20-cv-05079	Hon. Kandis A. Westmore
32	107 N.I. and O.B. v. Chart Inc.	4:20-cv-05080	Hon. Kandis A. Westmore
33	108 O.G. and O.H. v. Chart Inc.	3:20-cv-05081	Hon. Donna M. Ryu
34	109 O.I. and P.G. v. Chart Inc.	3:20-cv-05082	Hon. Joseph C. Spero
35	110 P.H. v. Chart Inc.	3:20-cv-05083	Hon. Joseph C. Spero
36	111 P.I. and Q.F. v. Chart Inc.	3:20-cv-05084	Hon. Joseph C. Spero
37	112 Q.G. and Q.H. v. Chart Inc.	3:20-cv-05085	Hon. Alex G. Tse
38	113 Q.I. and R.F. v. Chart Inc.	4:20-cv-05086	Hon. Kandis A. Westmore
39	114 R.G. and R.H. v. Chart Inc.	4:20-cv-05087	Hon. Jeffrey S. White
40	115 R.I. and S.G. v. Chart Inc.	3:20-cv-05088	Hon. Sallie Kim
41	116 S.H. and S.I. v. Chart Inc.	3:20-cv-05089	Hon. Joseph C. Spero
42	117 T.F. and T.G. v. Chart Inc.	3:20-cv-05091	Hon. Donna M. Ryu
43	118 T.H. and T.I. v. Chart Inc.	3:20-cv-05092	Hon. Kandis A. Westmore

No.	Case Caption	Case Number	Assigned Judge
119	U.B. v. Chart Inc.	4:20-cv-05093	Hon. Donna M. Ryu
120	U.G. and U.H. v. Chart Inc.	3:20-cv-05094	Hon. Sallie Kim
121	U.I. v. Chart Inc.	3:20-cv-05095	Hon. Joseph C. Spero
122	V.G. and V.H. v. Chart Inc.	3:20-cv-05096	Hon. Jacqueline Scott Corley
123	V.I. and W.G. v. Chart Inc.	3:20-cv-05097	Hon. Laurel Beeler
124	W.H. and W.I. v. Chart Inc.	3:20-cv-05098	Hon. Sallie Kim
125	X.D. and X.E. v. Chart Inc.	3:20-cv-05099	Hon. Laurel Beeler
126	X.F. and X.G. v. Chart Inc.	3:20-cv-05100	Hon. Jacqueline Scott Corley
127	X.H. and X.I. v. Chart Inc.	3:20-cv-05101	Hon. Donna M. Ryu
128	Y.B. v. Chart Inc.	3:20-cv-05102	Hon. Laurel Beeler
129	Y.E. and Y.F. v. Chart Inc.	4:20-cv-05103	Hon. Kandis A. Westmore
130	Y.G. and Y.H. v. Chart Inc.	4:20-cv-05104	Hon. Kandis A. Westmore
131	Y.I. and Z.E. v. Chart Inc.	3:20-cv-05105	Hon. Laurel Beeler
132	Z.F. and Z.G. v. Chart Inc.	4:20-cv-05106	Hon. Donna M. Ryu
133	Z.H. and Z.I. v. Chart Inc.	3:20-cv-05107	Hon. Sallie Kim

Under Local Rule 3-12(a), “An action is related to another when: (1) The actions concern substantially the same parties, property, transaction or event; and (2) It appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges.” Both elements are satisfied here.

The 133 individual matters are related to *In Re Pacific Fertility Center Litigation* because they concern the same defendant and the same event. All plaintiffs *In Re Pacific Fertility Center Litigation* and the 133 lawsuits are clients of Pacific Fertility Center and had either frozen eggs or embryos stored in a single cryopreservation tank manufactured by Chart Inc., known as Tank 4. Each action seeks to hold Chart liable for the failure of Tank 4 on March 4, 2018, which resulted in damage to the eggs and embryos stored within the tank. Chart is the only defendant named in each of the actions Plaintiffs seek to relate to *In Re Pacific Fertility Center Litigation*, and Chart is the only defendant remaining in that action not subject to arbitration by court order.

Given the common defendant, allegations, and requests for relief, adjudication of these actions separately would create an unduly burdensome duplication of labor and expense. Assignment of these cases to a single judicial officer will conserve judicial resources and eliminate the potential for conflicting results.

1 For the reasons set forth above, Plaintiff respectfully requests that the Court deem the cases related
2 and assigned to Magistrate Judge Corley for all purposes.

3
4 Dated: July 27, 2020

Respectfully submitted,

5 By: /s/ Amy M. Zeman

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26 *Plaintiffs' Counsel*

CERTIFICATE OF SERVICE

I hereby certify that on July 27, 2020, I electronically filed the forgoing with the Clerk of Court using the CM/ECF system, which will send notice of such filing to all counsel of record.

Dated: July 27, 2020

/s/ Amy M. Zeman
Amy M. Zeman